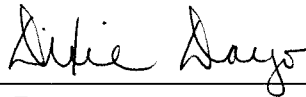


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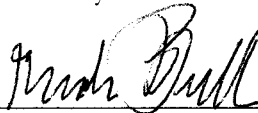
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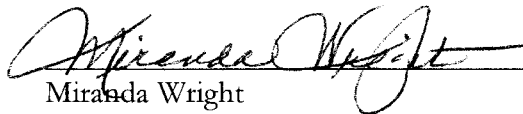
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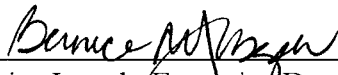
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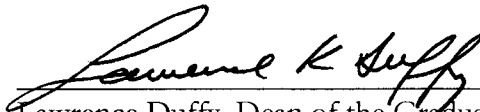


Ralph Gabrielli, Academic Program Head,
Department of Alaska Native Studies and Rural
Development

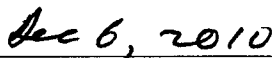
APPROVED:



Bernice Joseph, Executive Dean,
College of Rural and Community Development



Lawrence Duffy, Dean of the Graduate School



Date

CULTURAL SIGNIFICANCE OF THE 14(h) (1)
HISTORIC SITES OF SOUTHEAST ALASKA

A
THESIS

Presented to the Faculty
of the University of Alaska Fairbanks
in Partial Fulfillment of the Requirements

for the Degree of
MASTER OF ARTS

By

Gail Marie Dabaluz, B.A.

Fairbanks, Alaska

December 2010

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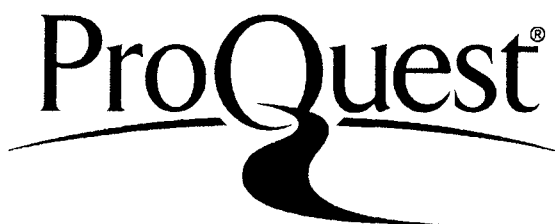
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Abstract

The study provides a literary review of first person accounts regarding section 14 (h) (1) of the Alaska Native Claims Settlement Act (ANCSA). This subsection is the legal mechanism for Alaska Native Corporations (ANC's) to obtain title to historic sites. Historic sites include villages, seasonal camps and cemeteries. The 14 (h) (1) collection is a nationally unique library and invaluable resource for tribal members to enhance their understanding of indigenous knowledge. It offers a profound appreciation of our ancestor's fortitude in challenging circumstances, instilling strength toward maintaining our identity as a dynamic, living, culture.

The dissertation imparts the conceptual framework for tribal members to utilize the repository at their regional corporate office. The study seeks to understand Tlingit philosophy, inter-generational concepts, indigenous land stewardship, resource management, customary food practices, and cultural mores. It is complimented with an examination of local, state and national policy resulting from implementing ANCSA.

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Lastly, thank you to my graduate study committee members, Dr. Gordon Pullar, Dixie Dayo and Miranda Wright. Your collective knowledge and expertise guided the entire process, maintaining the overall thesis goal at the forefront.

Chapter 1 BIA-ANCSA 14 (h) (1) Program

1.1 Introduction

The author first became familiar with the Bureau of Indian Affairs (BIA) Alaska Native Claims Settlement Act (ANCSA) 14 (h) (1) historic sites collection while employed with the Bureau in 2002. It was during this time, the author learned of the BIA-ANCSA program, its history and potential applications.

The BIA-ANCSA program collection is completely separate from the Sealaska Corporation anthology. Sealaska hired Wilsey-Hamm, a private contractor to conduct the fieldwork establishing their historic sites. This was in contrast to other regional corporations, who utilized BIA-ANCSA staff to conduct their fieldwork, determining their historic sites.

Section 14 (h) (1) of the ANCSA legislation is a portion of the enactment which authorizes regional corporations to receive a portion of their acreage entitlements in the form of historic and cemetery sites. The 14 (h) (1) site eligibility criteria is modeled after the National Register of Historic Places. Based upon the criteria, subsistence areas are not considered historic sites; as a result, they are not deemed for inclusion on the National Register.

1.2 BIA Alaska Site Investigations

The BIA began site investigations in 1978, creating the Alaska Regional ANCSA program. Cultural practices had to have occurred on the sites in order to be included in the BIA-ANCSA collection. The actual sites to be investigated were identified by each regional ANCSA corporation.

The fieldwork was conducted by a variety of social scientists, producing oral history accounts of use and occupancy that were site-specific. Research was primarily conducted by cultural anthropologists, linguists, historians and land planners, examining and working on the data. Oral recordings were later transcribed as written accounts by culture bearers reflecting upon each site.

1.3 Southeast Regional Inventory

For the southeast region, the inventory included 96 sites to be considered for conveyance. The conveyance process begins when regional Alaska Native Corporations submit an application to transfer land from the Bureau of Land Management (BLM), to BIA for site certification; upon approval, it is transmitted and later conveyed to the regional ANCSA corporate offices. Actual land conveyances can be a lengthy administrative process.

The field staff documented cultural experts regarding the significance of each site, as applicable to the Tlingit and Haida Indians of southeast Alaska. While many transcripts offer an illustration of use and occupancy in a stunning manner, the significance of a historic site is not limited to these two criteria. When we think of the terms use and occupancy, it conjures up images of establishing patterns of indigenous inhabitants, to substantiate a legal land claim. While this is indeed an important aspect of the site, it is not the most noteworthy to be considered for inclusion. Some of the cultural experts conveyed the association of the physical and cultural feature of sites in a profound manner. Elders expanded the collaboration by sharing knowledge regarding land stewardship, traditional lifeways, subsistence and settlement patterns, cultural change, assimilation and acculturation.

1.4 Spatially Defined as a People

One of the most compelling aspects of the 14 (h) (1) historic sites anthology as it relates to southeast Alaska is how Tlingit people define themselves through space, time and experience. In a spatial context, the Tlingit have traditionally defined themselves by a specific geographic location. For instance, when we introduce ourselves in the Tlingit language, it references our tribe, moiety, clan, father's clan, grandfather's clan and so on. Additionally, we include the specific territory we originated from by clan identity. Oftentimes, Tlingit introduction is accompanied by the tangible, physical reference to clan history, a story, fable or legend. In this example, time is immutable. For a more detailed discussion, see Thornton.

Appreciating that the BIA-ANCSA collection existed, struck an ironic chord since it is under-utilized by scholars and tribal members. To date, the BIA-ANCSA program has completed more than 2,300 14 (h) (1) site investigations. The collection is robust in archeological data, including 40,000-50,000 photographs and related records (Pratt, 1999:3).

This study allows Sealaska tribal members a glimpse into the collection, with the expectation that it will prompt further research. One of the greatest challenges of the BIA-ANCSA program is the sheer volume of data that can be utilized. The entire collection houses an estimated 1,900 taped interviews of 1,000 of Native elders. An approximate 75% of the oral history tapes have not yet been translated or transcribed (Pratt 1999:4). With a sunset date assigned to the program, the primary focus was completing site investigations, versus administrative functions.

The most alarming aspect of that oversight intensifies when one reviews the number of organizations whose mission is cultural heritage programs. These entities currently do not

benefit from the 14 (h) (1) historic sites collection. This is a lost opportunity for cultural heritage programs and the potential applications that the collection can offer. As is true with other historic anthologies, the content of each ethnographic interview span many topics, enhancing the readers understanding of the primary theme, as well as related issues. Descriptions of observed tribal protocols and cultural mores are vividly expressed in a commanding voice by the elders, which can serve as a guide in how we conduct ourselves as Tlingit people in present-day. From a strictly oral history perspective, with each elder's passing, we lose access to a living library.

Chapter 2 Social Structure of the Tlingit

2.1 Tlingit Clan System

The very basic social structure of the Tlingit is the clan system, based upon matrilineal descent, providing our cultural identity. One of the most elemental features of our social structure is the moiety system. The term derives from a French word and translates as two halves of a whole. In the Tlingit worldview, moiety is one of two social units in a tribe that is based upon unilineal descent. We trace our heritage through our maternal lines, directly from our mothers. Within this social definition, there is a constant state of dualism found in the *Cháak*' (Eagle) and *Yéil* (Raven) moiety system.

The Tlingit clan system is the communal framework sustaining all cultural endeavors. It is an immutable structure; you are born into a specific clan, live within the dynamics of that social unit, and when a member passes away, frequently, memorialized as an ancestor. This trait is an absolute birthright. Within each clan, observed protocols are transmitted from elders to younger members in secular religious, political, and social spheres. Their directives provide the center for how one conducts themselves in all formal clan functions. A remarkable testimony of how Tlingit ancestry is expressed and highly treasured is articulated by the policy statement issued by the Sitka Tribe of Alaska:

“Children of female members of a clan are children of the clan regardless of where or under what circumstances they may be found. Clan membership does not wash off, nor can such membership be removed by any force, or any distance, or over time. Even in death clan membership continues, and in re-birth is it renewed” (Sitka Tribe of Alaska 1986).

There are many clans which exist under the moiety system and they trace their ancestry to a specific land base. Within each, are a set of prescribed cultural mores that recall legends, stories, songs, events, specific personage or geographic location associated with a clan. Complimenting these, are the associated tangible images known as crests that are clan specific. Oftentimes, a clan can assert its right to more than one image for its members. Our clan, the *L'uknaꝥ.ádi* (silver salmon) from *Diginaa Hít* (Dry Bay Village near Yakutat), uses the silver salmon as our primary crest; we also have the right to use the sub-crests: *tináa* (copper shield), black whale and diving raven, sea lion, octopus, diving raven into bulb kelp and the white frog. Utilization of a specific crest often results from an actual event and the image serves many purposes. It clearly identifies a member of the clan and oftentimes the icon ties to a specific geographic location. Group recognition is important at public events in which the entire membership hosts or assists.

Oftentimes, clan members have specific items of regalia and *at.óow* related to their ancestral homeland, providing a cultural identity marker tying an intangible concept to a tangible object. An item of *at.óow* can refer to a geographical place, a clan name, story, song, and spirit art design or art object. Each piece is the living recording of a historical or spiritual event, comparable to a western deed. Many of these pieces have an accompanying song and story associated with it. The artwork that is utilized during ceremonials acknowledges our ancestors to the living in a tangible and intangible manner.

At.óow used ceremonially at a *koo.éex'* (post mortuary funerary event) assist the host clan and family in the formal grieving process. Items of *at.óow* are brought forward by the opposite moiety to provide comfort to the hosts. By putting on view works of art that are

considered sanctified, it is an enduring reply to the host clan by visitors. In this way, emblematic artwork offer moral sustenance to the host clan, conceding their love and respect for the hosts. As curator of the at.óow, clan leaders offer the opposite moiety support during the widow's cry segment of the ceremony to "wipe away their tears" of sorrow. When this segment of the koo.éex' occurs, guests publicly recognize the host clan's bereavement by sharing their most sacred clan items as vessels of support. The act itself balances the ceremony, with both moieties displaying their items of at.óow. Social respect between the two moieties is demonstrated at a public event, solidifying our mutual social ties symbolically reaffirming our communal ties.

In Tlingit culture, reciprocity is oftentimes referred to as restoring balance within the moiety system. Our social structure is therefore, sustained by the visual display of sacred art objects and reinforced by oratory.

These ancient cultural mores and practices still occur in present time. A typical post mortuary koo.éex' observes the following features:

- Welcoming of guests and display symbols of mourning, including:
 - Items of at.óow are presented that portray the origin of a specific clan and has religious importance.
 - Application of black facial markings signifying the mourning clan members.
- Host clan performs their grieving clan songs.

- During that time, the host clan exhibit and articulates its hereditary items of at.óow to the guests, including their clan hat, regalia that incorporate heraldic designs and this segment is completed with grieving songs and spirit dances.
- The guest clan leaders respond to the host clan's grieving songs by offering words of support and encouragement.
- The guests reciprocate by singing their clan songs, encouraging the host clan to begin the process of removing their grief.
- The host clan acknowledges the end of the mourning period.
- The official grieving period has closed and the overall mood changes.
- Fire dishes of the decedent's favorite meal is prepared and presented to visitors.
- Immediately afterwards, our ancestral names are called out; our belief is that they are actively participating throughout the koo.écex' when their names are called in remembrance.
- Frequently, identical personal names are bestowed upon the newest clan members, perpetuating the ancestor in a tangible manner.
- The host clan's items of at.óow and photographs of the departed are sited on a table at the front of the room.
- Several meals are prepared and distributed throughout the event.
- The host clan distributes case lots of goods (fruit, soda and canned goods) to the guests.

- Followed by bowls of fruit, mixed berries, dry goods and money are dispersed to guests.
 - Monetary compensation is provided to the opposite clan members who offered special support when the deceased passed away.
- The last portion of the koo.éex' is the naming ceremony for the newest clan members.
 - This includes those born into the clan, following matrilineal descent.
 - Adoptees in general.
 - The host clan appoints a member to recommend personal names or create new ones for the naming ceremony.
 - Consultation with clan leaders is recommended to obtain their concurrence that the personal clan names are given in the appropriate manner.
 - The agreed upon names are noted and then disclosed as the last part of the koo.éex'.
 - Opposite clan members witness and validate the name, repeating the new name, three times as a collective whole.

(White, Lily and White, Paul 2000:133-6).

The naming ceremony, in my point of view, is one of the most critically important tasks of our koo.éex'. It is within this atmosphere we re-establish and reaffirm future generations. Our spirituality is intricately tied to our secular culture. When personal names are given, it is understood that the newest members will fully support the clan.

Public awareness of the collection is necessary because Tlingit epistemology is reflected in each transcript. They provide evidence of how our forefathers utilized the land and the intelligence they gleaned from it. It is that intellect that has provided us the fortitude to withstand the many challenges which would have been the demise of others.

2.2 Tlingit Epistemology

Epistemology is defined as the philosophy of knowledge investigating the origin, nature, methods and limits of human awareness. Tlingit epistemology incorporates the spiritual and physical realms into a sphere complimenting each other in a highly sophisticated manner.

In the Sergei Kan's publication *Symbolic Immortality*, he meticulously describes the spiritual and bodily connection among Tlingit culture. Tlingit philosophy is based on the intricate relationship between the spiritual aspects of our world, interwoven with physical beings. Tangible and intangible concepts are associated with both the living and deceased.

The Tlingit worldview encompasses three main components that constitute what defines a human being. The three main components are the material body, spirituality and one's soul (Kan 1989:54).

The material body is considered a vessel of knowledge that operates and controls human thought and bodily function. One's spirit is viewed as a life force throughout one's life, influencing action and leaving upon death. There are two main concepts of Tlingit spirituality - *shagóon* and *shuká*. Both terms translate as "ancestor" although with different meanings. Shagóon can refer to an immediate ancestor, such as your parent as well as a human ancestor. Shuká refers to one's ancestor, but in a more general fashion. The latter

concept is ambiguous in that it can refer to the past as well as the present. In Tlingit oratory, the term is used metaphorically, and is translated to mean “those who have gone before us” as well as “those who will follow us”. A common phrase conveyed by Tlingit is that we do not know our *shuká* (our future). The expression can include items of *at.óow* and *shagóon*. Oftentimes, *shuká* refers to visual images and heraldic designs, while *at.óow* refers to material items with a design (Dauenhauer 2000:105).

The soul becomes present during the after-life, and manifestations of an individual’s soul can exist in one’s descendant. From a uniquely Tlingit viewpoint, a direct descendant may have similar attributes of a recently departed clan member. In that regard, the recently deceased clan member is reincarnated.

2.3 Tlingit *Kwaan* Structure and Economics

The Tlingit settlement pattern is based upon clan observances of specific geographic areas known as a *kwaan*. In prehistoric southeast Alaska, land stewardship was the responsibility of distinct tribal units, delineated further by clan. Specific land rights were the responsibility of the *Híts Aati* (House Leader) and their duty is to provide for its membership.

Their roles are to serve as the localized clan leader in ceremonial, political and public functions. The leader oversaw the daily operation of their community houses, its members and the land associated with their clan. The cultural identification of clans is bound to specific land. Those rights may have included village sites, lakes, rivers, streams, mountains, rock art as well as fishing, hunting, trapping and berry grounds. The sites were used for

habitation, subsistence and unique items made for trade such as mountain goat wool used for weaving *naaxein* or Chilkat robes. Clans have such a close cultural association with our ancestral homelands that it is virtually impossible to introduce ourselves without identifying where the clan originates. Use of functioning artwork during ceremony at once binds the living and deceased, while offering instruction to younger clan members in how to conduct themselves at a traditional *koo.éex'*.

The Tlingit people enjoy the vast natural resources of southeast Alaska. There are many marine mammals and fishery assets are relied upon for sustenance. They are so plentiful, that they foster self-sufficiency and it is because of this richness, that the tribal and clan systems thrived. The Tlingit economy consists of the production, distribution and exchange of natural resources. Production includes the procurement and preservation of our traditional foods. The distribution and exchange of these food items refer to the movement of subsistence goods or sharing of subsistence foods through a social network. A large part of our subsistence economy observes collecting food items to be distributed in ceremony to the opposite moiety and clans. The sharing of subsistence foods reaffirms our relationship with in-laws and members of the opposite moiety. This relationship is based upon mutual respect and reciprocity, functioning as a banking system. Providing gift items to the opposite moiety is done with the understanding that when your clan or family is experiencing grief, they will reciprocate. This system in essence, serves as a quasi-banking system for both moieties and the entire tribe (Worl 1999:9).

Chapter 3 Western Contact

The first contact with westerners occurred in 1741 when explorers Vitus Bering and Aleksei Chirikov reached Kayak Island (Cape Saint Elias) near Cordova. The two Russian explorers were sent by Catherine the Great to procure fur bearing sea mammal pelts for commercial usage. Both explorers experienced hostility from the Tlingit and subsequently left the territory.

The next group of voyagers to appear in the waters of southeast Alaska hailed from Spain. The First and Second Bucareli Expeditions launched in 1774 and 1775 brought the two explorers to Alaska by way of what is now Washington State, and the Queen Charlotte Islands in British Columbia. The first expedition produced invaluable drawings of pre-colonial Tlingit life and the second passage marks the Spaniards laying claim to Mount Edgecumbe. In rapid succession, other navigators forayed into southeastern waters. Captain James Cook obtained sea voyaging journals from Francisco Mourello who was on the second Bucareli Expedition. This was important to understand, in that the journals laid the foundation for Cook's successful voyage and led him to search for the Northwest Passage. Many other voyagers sponsored and supported by their respective governments in the hopes of establishing forts to harvest and commercially develop a fur bearing trade in response to a high demand. Each voyager followed specific directives from their nation to essentially divide and conquer the indigenous people of southeast Alaska establishing fortifications that provided protection from the Tlingit while exploiting their natural resources in support of their countries. There was no forethought given to the indigenous people or how exploration affects their customary way of living.

3.1 Impacts to Indigenous Culture upon Contact

Population crashes and declines occurred almost immediately upon the arrival of western voyagers in southeast Alaska. The Tlingit had absolutely no resistance to the virgin soil epidemics that decimated their communities. Aside from the human loss of Tlingit people, the introduction of western religion and ideals had far-reaching impacts, forever altering our worldview.

The introduction of western religion initially resisted by the Tlingit was later relaxed when traditional healing practices went unfettered, to combat infectious diseases. Specialists such as shamans and their attendants were no longer viewed as being effective, when conventional remedies were not successful.

Tollefson describes the conflict management model which studies social change and describes the six characteristics explaining how people modify their political behavior to adapt to rapid change. The significance of understanding how Tlingit people became acculturated and assimilated into western society assist the reader's comprehension of the rapid movement of social change. Understanding the six responses facilitates a deeper comprehension of the Tlingit response to the accelerated political process, and the methods we use to observe our cultural mores. Maintaining our sophisticated values facilitated our success of the introduced government. The new political system had enormous consequences, from loss of our traditional homelands, educational mandates of our children, introduction of a cash based economy and new religion. Still later, with the passage of ANCSA, tribal member shareholders developed corporations, as private land owners with

responsibilities to its stockholders that are completely unique from other western commercial corporations.

3.2 Characteristics of the traditional Tlingit Household of the 1880's

The Tlingit clan house of the 1880's had specific goals of basic survival, which including acquiring the necessary resources to provide for an entire clan. Land stewardship observed clan rights to specific areas that were linked to tribal clan houses. These rights were inherent and could be won in battle. Invariably, specific land rights bordered neighboring clans which resulted in concessions of use and occupancy of property. Communicating what was needed in order to survive as a people was of paramount importance. Harsh conditions such as inclement weather, detrimental natural occurrences and times of famine dictated a cohesive understanding of how to survive in a large group setting, in order to provide for all. Over time, various houses could acquire additional resources, through collaborative efforts. Clans that were self-sufficient and could amass supplemental assets meant that they could provide for others in a religious context and were viewed as economically rich with vast revenue at their disposal.

In Tlingit society, hereditary rights are traced through matrilineal descent. It is understood and observed, that our children's birthright are immutable, and cannot be changed. These rights include use of place names, songs, dance, clan names, personal names and items of at.óow. Young men moved from their mother's home to their maternal uncle's as teenagers to begin intense teaching. The direction their uncle provides, instruct them toward self-sufficiency, imparting the life skills they needed in order to survive.

It is during this time that the life lessons provided to young men can set the tone for them to reach higher social goals. As impressionable young adults, they observed the practices of effective clan household leaders. Clearly, becoming skilled at acquiring ample resources to support themselves and extended clan members provided the platform for them to be considered a future clan leader. If successful, as a house leader, it catapulted their social standing within the clan, tribe and region. Obtaining this type of class standing offers various perks. Once a man reaches this echelon, much of the daily work can be delegated within the clan.

As a formally recognized leader, these individuals are viewed as the head of a communal clan house. Within a given clan, there can be several tribal houses. There are various reasons for this, however, the most common is when clans become so large in a given area, they are required to find a new location and build a new clan house with a different household name. For instance, in my L'ukna_x.ádi clan there are several houses that are specific to a geographic area. We are of the Diginaa Hít clan house located in *Gunaaxoo Kwáan* (Dry Bay Village) near Yakutat. However, there are examples of other clan houses such as the *Kayashkaa Hít* (mother coho house) clan located in Sitka.

Individual clan leaders could aspire to become a localized clan spokesperson. This designation unifies different household clan leaders in formal functions resulting in a unified voice toward supporting an event. This is a very intelligent and streamlined approach toward larger functions that require expediency to resolve disputes, provide a unified response to an issue and be accountable for transgressions. Other spokesmen within a given clan could be

mediators, or peacemakers and the stewards of at.óow. Another tier of spokesmen were specialists such as carvers, historians, shamans and warriors.

In historic times, various house councils were used to localize action when needed. Numerous household leaders would alert their tribal membership of issues that needed to be resolved. These leaders could be fathers in a household, heads of a household and clan leaders in neighboring villages.

Within this cooperative social structure, tribal members work as a collective whole, rather than as nuclear families or individuals. This interaction require consensus among its members, so that as a group, they broker their unity as a bargaining tool to negotiate disputes. If disagreements or an infraction occurs, the group can seek restorative justice. A major role of a clan leader is to coordinate, host and fund our events. One leader from the *D'aklaweidí Kéet Gooshi Hit* (Killer whale dorsal fin clan house) imparted his clan history and sacrifices of his forefathers, by displaying clan at.óow in a visually and metaphorically stunning fashion. He brought out a clan vest with a bullet hole worn by a member of his clan who sacrificed his life to restore balance between two clans. A member of the D'aklaweidí committed a crime, killing a man from a different clan. In distinct fashion, the aggrieved clan demanded a D'aklaweidí be brought forward, seeking internecine as restorative justice. An individual of equal social standing from the opposite clan was chosen and killed in response to the death. As codified in our traditional laws the vest was displayed at a *koo.éex'* to illustrate that when wrongs are committed, we expect restitution to provide compensation to the opposite clan. The clan then hosts an event to expunge the

transgression and restore balance between the two (Judson Brown, personal communication 1989.)

By implementing these practices, there is a sense of compulsion when a consensus decision is required. It creates a social system based upon respect and restitution. Clan members are required to participate at all levels, which codify moral compliance of traditions and values. This is no different from any other civilized culture.

3.3 Alaska Native Brotherhood

The Alaska Native Brotherhood (ANB) was created in 1912 by a group of young men, the majority Tlingit and one Tsimshian. The twelve founding members were each from a rural village and attended the Sitka Training Center under the leadership of Reverend Sheldon Jackson. The purpose of the training center was to provide the educational framework for Alaska Natives to gain vocational training skills, become Christians and promote servant leadership in their respective communities (Drucker 1958:16).

The main purpose of the ANB was to craft a civic organization for Alaska Natives to become U.S. citizens. In order to accomplish this, their Constitution, the organic document used to guide the organization promoted assimilation into the dominant American society. Many of the young men in the ANB had been acculturated by their enrollment at the Sitka Training Center and vocational pursuits. During the early years, the ANB's primary focus was to achieve American citizenry for its members. It was only after Louis and his brother William Paul became Grand Camp Officers that the organization was politicized. Both men were educated in their primary years in Sitka. Their mother, Matilda Paul was an employee at the Sitka Training Center and keenly understood the importance of her children

gaining a western education. Each of Matilda's children, as young men, moved to Pennsylvania in order to attend the Carlisle Indian School and further their education (Dauenhauer and Dauenhauer 1994:490). It was during this time, that William understood that Alaska Native interests were not being met within the territorial government. While in Pennsylvania, he questioned why Alaska Natives were not provided the same educational opportunity as their Caucasian peers. It was this observation coupled with William's fiery personality that inspired him to become involved with the Brotherhood, upon his arrival home. His older brother, Louis was already an active ANB member and ingratiated himself to the Tlingit elders, as a fluent speaker and well versed in tribal and clan customs. William did not have the same cultural disposition and it was because of this, that both men had different functions within the organization. William clearly understood that the ANB as a civic organization had to become politicized in the territorial government to begin seeking equal human and civil liberties. Louis could appease the elders, many who did not speak English to gain the local chapter support to carry the Grand Camp's message at a higher level than community concern.

The Grand Camp ANB is the organization that facilitates the annual meeting which the majority of all chapters participate in. The majority of southeast Alaskan communities have a local chapter or camp that nominates delegates to attend the week-long meetings. The annual meeting focuses upon bringing forward local issues at a regional level in the form of open discussion and debate, submission of camp resolutions and guest speakers.

The ANB was the political organization that took on many of the functions which in the past would have been responded to by a clan. At this time, clan sponsored events such as

our koo.éex' were banned and outlawed by the territorial government. In the absence of the clan politic, the Brotherhood was a critical association providing the mechanism to combat the social ills impacting the Tlingit and Haida. This point is illustrated by reading the ANB preamble:

The purpose of this organization shall be to assist and encourage the Native in his advancement from his Native state to his place among the cultivated areas of the world; to oppose, to discourage, and to overcome the narrow injustices of race prejudices; to commemorate the fine qualities of the Native race of the North America and to preserve their story, lore, art and virtues; to cultivate the morality, education, commerce and civil government of Alaska to improve individual and municipal health and laboring conditions; and to create a true respect in Natives and other persons with whom they deal for the letter and spirit of declaration of independence and the Constitution and Laws of the United States (www.grandcampanb.gov).

Chapter 4 Aboriginal Land Claims of Southeast Alaska

4.1 HR 2756 Tlingit and Haida Land Suit of 1934

As early as 1912, ANB leader, Peter Simpson and Delegate Wickersham concluded that Alaska Natives had to form an organization to articulate their concerns about poor living conditions. Clan leaders expressed to Delegate Wickersham how they were forced to relocate from their traditional homelands, resulting in their hunting and fishing grounds being encroached upon, mainly through the introduction of 24-hour fish wheels. In essence, their very livelihoods were threatened. Newly appointed Judge Wickersham encouraged the Tlingit and Haida Indians to form a central council in order to address those grave concerns. Judge Wickersham addressed delegates at the 1929 Haines Grand Camp convention, by summarizing the mechanism for members to begin recovering their homelands taken by the United States Forest Service when Theodore Roosevelt by Presidential Proclamation created the Tongass National Forest. Wickersham was very frank in how the Grand Camp ANB needed to seek compensation by pursuing litigation to begin recovering their land. At this time, there was only one Alaska Native attorney and that was William Paul (*Shgúndi*). Judge Wickersham agreed to be the legal expert to pursue the Tlingit and Haida land claims litigation, with the understanding that William Paul would be his associate. As his health declined, Judge Wickersham transferred the majority of the legal work to William Paul. Much of the technical writing of the legislative bill was done by Wickersham.

Within southeast Alaska, the Tlingit people were discussing the elements of the proposed bill. Much debate was upon whether or not the bill should include a per capita payment for compensation or recover the actual land (Hope 1982:36-7). As it turns out, we

were not legally able to receive the actual land back. At each community, tribal members offered monetary donations to finance the effort. It is significant to note, that many of the financial donations were provided by elders who would never reap the benefits of a victorious land claims. They supported the cause with the understanding that if successful, it would directly benefit their children and grandchildren. Throughout the entire movement, many friends appeared and were selfless in supporting the land claim efforts.

It is imperative to understand how the legal bill set the stage for later land claims. This particular bill provides that if Tlingit and Haida owned the land, and should Congress award any compensation for that land, it would be paid to a central council, rather than individuals. The basic idea for the central council was to make any set-aside money earn interest for the Tlingit and Haida.

The land suit was filed in 1947 and in 1959 the court found that the Tlingit and Haida aboriginal land title in southeast Alaska had not been formally extinguished. So, at the time of Russian purchase of Alaska, the Tlingit and Haida still owned their land. After many years of legal wrangling, in 1968 the court awarded \$7.5 million dollars to Central Council/Tlingit and Haida Indian Tribes of Alaska. This amount was determined based upon the commercial value of accessible timber in 1905, the date establishing the Tongass National Forest. This court case set a legal precedent, in that the court based its final decision on determining that aboriginal title had not been extinguished. This would lay the groundwork for future all claim suits by other groups (Hope, 1982:47-52).

4.2 The 1951 Legal Case of Teeyhít Táan

William Paul was the lead attorney for the community of Wrangell as they sought to recover their tribal land taken to create the United States Tongass National Forest in 1905. It should be noted that Paul is of the Raven moiety and a member of the Teeyhít Táan clan.

Paul asserted that his clan Teeyhít Táan never relinquished their lands willingly, in order for the Tongass Forest to be created. He emphasized that this premise is ingrained in the tribal and clan land base documented and established in ethnographic monographs, setting the foundation for legal proceedings (Metcalf 2010:15).

William Paul pursued litigation on behalf of his clan to recover their land illegally taken by the federal government. Paul was convinced that filing a land claim on behalf of an individual clan would strengthen their position in the U.S. Court of Claims. He asserted that each clan had inherent rights to use and occupy their ancestral land. The U.S. Court of Claims rejected Paul's claim of the Teeyhít Táan aboriginal land claim against the U.S. Forest Service to receive monetary compensation from the pulp companies and timber lease sales. However, a legal caveat in the judgment language worked in Paul's favor. The U.S. Court of Claims judgment conveys that although Congress did not recognize the Teeyhít Táan land title, it implies that title had been there all along. The language in the judgment was a fortuitous opportunity for an attorney such as Paul. This is a visionary and profound legacy that William Paul left for all Alaska Native people, providing the legal precedent for subsequent land claim filings (Haycox 2003:8).

Chapter 5 National Indian Policy and Implications to ANCSA

5.1 President Nixon's Indian Self Determination Policy of 1970

On July 8, 1970 President Richard Nixon provided a special message on Indian Affairs to the United States Congress. President Nixon condemned past termination practices of the United States government and its treatment of Native Americans. His message challenged Congress to develop new policies providing the mechanism and tools for First Nation People to become self-governing. In essence, President Nixon's speech directed Congress to develop policies that would later be implemented as Public Law 93-638, Indian Self Determination and Educational Assistance Act, as amended (www.doi.gov).

The most moving aspect of Nixon's message is that he criticizes federal policy regarding forced termination of the special trust relationship between the federal government and Native Americans. He critiques this approach, stating termination of the trust relationship between the governments would equate to economic failure due to loss of the unique tax exempt status of Native lands. This in turn, would weaken economic opportunities, fractionating the social well-being of Native people (Public Papers of the Presidents of the United States 1970:564-67).

President Nixon rightfully points out that past treaties between the federal and tribal governments were never successful, so assuming that they were achievable goals now was unrealistic. By publicly acknowledging the past policy failures to Congress, Nixon forces his colleagues to turn their existing political framework on its edge, to avoid a blighting situation for Native Americans. He offers clear vision for the foundation of self-determination to be

initiated and later thrive, so Native Americans could fully participate in economic decisions, impacting their future.

The paradigm shift paved the way for ANCSA to resolve outstanding land claim issues in Alaska. The discovery of oil fields by the Atlantic-Richfield Company in 1968 catapulted the languishing land claims, further accelerated by the land freeze as implemented by Secretary of the Interior Stewart Udall.

5.2 Alaska Native Claims Settlement Act of 1971

The ANCSA was enacted by the 92nd Congress and became Public Law 92-203 December 18, 1971. The complex legislation package took four and a half years to pass both the House and Senate sides of Congress. Assuring that the legislation was successfully passed by both bodies can be attributed to the visionary leaders of the Alaska Federation of Natives (AFN). After years of negotiating the specific terms of the legislation, the young AFN leaders spent much time, energy and scarce resources to develop the legislation which can be viewed as a social and economic development experiment. The legislative intent of ANCSA provides for the settlement of certain land claims of Alaska Natives and for other purposes. In our recent history, aboriginal land claims languished in the federal court of claims, oftentimes, unresolved for 100 years (Mitchell 2001:24).

The declaration of policy in ANCSA legislation addresses the immediate need for a fair and just settlement of all claims by Alaska Natives based upon aboriginal land claims. The law further states:

“That the settlement should be accomplished rapidly, with certainty, in conformity with the real economic and social needs of Natives, without litigation, with maximum participation by Natives in decisions affecting their rights and property,

without establishing any permanent racially defined institutions, rights, privileges, or obligations, without creating a reservation system or lengthy ward ship or trusteeship, and without adding to the categories of property and institutions enjoying special tax privileges or to the legislation establishing special relationships between the United States Government and the State of Alaska (United States Department of Interior 1980:3).

When one reviews the declaration of policy of ANCSA, there are sections which are markedly influenced by our Native leaders. References to maximum participation by Native people in the decisions that affect their economic livelihood and quality of life are strong statements of self-determination. Also noted is the statement that the ANCSA legislation will not result in Alaska Natives forming a reservation system or being viewed as wards of the U.S. government. It is evident that our leaders and the AFN organization studied other Native American tribes, their quality of living and the mechanisms for their concerns to be heard. It is phenomenal to review the actual ANCSA legislation, read the AFN leaders recollections and hear their personal observation and experiences. It leaves me feeling grateful to have had the AFN leadership at the forefront, and that they keenly understood the challenges of our living conditions resulting in their fighting for the best possible legislative package that they could obtain. Emil Notti reminds us that when he became the first president of AFN, he became involved due to the inadequate housing and health care and facilities, few employment opportunities, high infant mortality rate (three times the national average) and the life expectancy of Alaska Natives was 34 years of age (Emil Notti, personal communication, February 2006).

One of the most important aspects of ANCSA has been the acknowledgement of our regional differences within the State of Alaska. ANCSA brought divergent Alaska Native

groups together, like no other legislation had before. Geographical differences per indigenous group were mapped out, determining the natural boundaries for regional and village corporate structure. This must have been a huge accomplishment, to discuss regional differences, establish a common goal to benefit all Alaska Natives and begin negotiating with state and federal officials under extreme circumstances. I've often wondered about the personal sacrifices our leaders made, as well as those of their immediate family members.

During early discussions to craft ANCSA legislation, some key Alaska Native leaders felt that the southeast region should not be included since they were awarded compensation for the Tlingit and Haida land suit of 1934. When AFN leaders took the issue to vote, they gridlocked on this issue. Emil Notti, AFN President cast the swing vote, allowing southeast to be included as a full member of AFN in order to settle outstanding land claims by Alaska Natives (Emil Notti, personal communication, 2006). The final ANCSA legislation, section 16 (a) states:

All public lands in each township that encloses all or any part of a Native village listed below, and in each township that is contiguous to or corners on such township, except lands withdrawn or reserved for national defense purposes, are hereby withdrawn, subject to valid existing rights, from all forms of appropriation under the public land laws, including the mining and mineral leasing laws, and from selection under the Alaska Statehood Act, as amended: Angoon, Craig, Hoonah, Hydaburg, Kake, Kasaan, Klawock, Klukwan, Saxman and Yakutat (United States Department of Interior 1980:20).

There are some who feel that key elements of the ANCSA legislation were negotiated out, such as the number of acreage we obtained and the extinguishment of

aboriginal title. The preliminary draft provided by AFN did not wish to extinguish aboriginal hunting and fishing rights, however, the final legislation enacted by Congress did. The cash settlement portion of ANCSA provided nearly a billion dollars in compensation for Alaska Natives for lands lost. A large part of the extinguishment provision influenced how we gather our traditional foods. At present, the State of Alaska is in a unique juncture, with a new administration with clear program goals directed by President Barack Obama. Under the Obama administration, federal departments have acknowledged a need to develop new partnerships to foster collaborative efforts between the Department of Interior and State of Alaska. The Department of Interior has publicly acknowledged that the existing relationship between the federal, state and tribal governments is fractured and needs to be redesigned to fulfill the terms of ANCSA. Congress adopted Public Law 96-487, the Alaska National Interest Lands Conservation Act (ANILCA) which requires the State of Alaska to manage fish and wildlife on federal lands that is consistent with its provisions to protect subsistence uses by rural residents. Section 801 of ANILCA specifically resulted from Alaska Natives who sought federal statutory protection for their subsistence lifestyle. The importance of amending ANCSA legislation to include ANILCA is that the U.S. Congress recognized that the continuation of subsistence activities is “essential to Native physical, economic, traditional, and cultural existence.” Therefore, section 801 ensures the right of Alaska Natives to continue the traditional activities required to procure our foods in a manner befitting our cultures (Sealaska Corporation 1999:3-8).

The final version of ANCSA conveyed fee-simple title to 40 million acres of land in Alaska, extinguishing aboriginal title to any additional land (U.S. Department of Interior,

1980:3). The specific terms of ANCSA required that corporations for 13 regions and 203 village corporations be created. The broad components of ANCSA focused upon tribal enrollment enumerated and verified by BIA staff, later used toward the development of regional and village corporations, revenue sharing, withdrawal of public lands, and protection of cemetery sites. The minute details of creating a western style corporate model for indigenous people was learned as the young leaders were thrust into key decision making positions.

When Sealaska Corporation was created, it received the fewest acres of land and represented the largest number of shareholders (www.sealaska.com). Additionally, due to the Tongass National Forest, there was limited land to choose from. The reader can review the land acreage conveyed and number of shareholders in each regional corporation in the following table:

Table 1: The twelve regions with village composites.

Corporation	Number of villages	Original acreage
Ahtna ¹	8	714,240
Aleut ²	15	66,000
Arctic Slope ³	8	5,000,000
Bering Straits ⁴	18	127,759
Bristol Bay ⁵	31	101,500
Calista ⁶	56	6,500,000
Chugach ⁷	9	928,000
Cook Inlet ⁸	13	1,250,000
Doyon ⁹	23	12,500,000
Koniag ¹⁰	7	800
NANA ¹¹	12	2,200,000
Sealaska ¹²	17	290,000

¹www.ahtna-inc.com, ²www.aleutcorp.com, ³www.asrc.com, ⁴www.beringstraits.com, ⁵www.bbna.com,

⁶www.calistacorp.com, ⁷www.chugach-ak.com, ⁸www.ciri.com, ⁹www.doyon.com, ¹⁰www.koniag.com,

¹¹www.nana.com, ¹²www.sealaska.com.

Tribal members were able to enroll in a regional and village corporation. The Thirteenth Regional Corporation was established in Seattle, for Alaska Natives who did not reside in the state at the time of ANCSA enactment. The corporation did not receive any land; however, they did receive a pro-rate share of the \$926.5 million award amount.

The treaty to purchase Alaska from Russia enacted March 30, 1867 conveyed title to all public and vacant land that was not individual property. In doing so, the treaty stated that Alaska Natives be subject to the laws and regulations adopted by the United States regarding aboriginal tribes and the land used by Alaska Natives were not viewed as individual property (Metcalf 2010:3).

Aboriginal land claims that were received throughout the United States were settled by granting title to a portion of the tribe's land and extinguishing the remaining claims. The claims were extinguished by placing the land into the public domain and Natives were in turn, paid fair market value of the land. Extinguishing aboriginal title means that the land stewardship provided by Tlingit clans was no longer in effect. Their past stewardship included maintaining hunting, fishing, trapping, and berry picking areas. Dedicated activities for hunting and fishing were no longer in effect with the enactment of ANCSA.

Understanding the original amount of land claimed by Alaska Natives and the final amount conveyed to our regions is startling. The 45.5 million acres conveyed to Alaska Natives for their regional and village corporations represent 10% of the entire state of Alaska's land (Worl 2009:16).

A major event that influenced the final acreage amount being conveyed via ANCSA was the potential income generated by the discovery of the Prudhoe Bay oil fields in the

Arctic. The unearthing of the oil fields generated a political environment fostering cooperation among many divergent organizations. At the time of the discovery, the State of Alaska did not have sustainable revenue to fund its existing infrastructure, including service delivery of programs beyond one fiscal year. Reduced or eliminated program delivery for Alaska residents was not an option.

The passage of ANCSA accomplished many milestones. The legislation addressed outstanding land issues and created a new type of land ownership for aboriginal people. ANCSA was a very bold and innovative experiment that has created social and economic public policy that previously, was unheard of. By enacting ANCSA, Congress empowered indigenous people with the privatization of substantial land bases and income to private companies. They avoided the pitfalls associated with the paternalistic reservation system in the lower 48 and the subsequent corporate model provided Alaska Natives the liberty to create their businesses without federal oversight. ANCSA clearly created economic opportunities for its shareholders when few were available. It also changed the shape of federal land management in Alaska, later paving the way for ANILCA. The provisions of ANILCA brought additional land conveyed to the State of Alaska, including national parks, forests and wildlife refuges. These areas were previously under the auspices of federal public lands.

Chapter 6 ANCSA subsection 14 (h) (1) Historic Places and Cemetery Sites

6.1 Indigenous Lifeways Expressed in ANCSA Collection

This subsection of ANCSA communicates that the Secretary may withdraw and convey to the appropriate regional corporation fee title to existing cemetery sites and historical places. This definition is broad enough to include abandoned villages, various camps, and sites that have rock art and those with legendary significance.

Each Alaska Native regional corporation has submitted an application to have their historic or cemetery site conveyed to their organization. Table 2 created by Kenneth Pratt identifies the 14 (h) (1) applications submitted by each Alaska Native regional corporation.

Table 2: 14 (h) (1) applications filed to BLM and BIA for certification.

Alaska Native Regional Corporation	Number of applications filed with BLM	Number of applications BLM sent to BIA for investigation and certification	Number of applications BLM initially rejected or has not transmitted to BIA
Ahtna	59	54	5
Aleut	417	384	33
Arctic Slope	0	0	0
Bering Straits	233	167	66
Bristol Bay	97	34	63
Calista	1,562	966	596
Cook Inlet	63	27	36
Chugach	437	270	167
Doyon	484	270	167
Koniag	136	31	105
NANA	386	68	318
Sealaska	97	96	1
Totals	3,971	2,282	1,689

(Pratt 2009:9)

The site eligibility based upon the National Register of Historic Places criteria, does not include subsistence sights.

The Bureau of Indian Affairs has a wealth of information for their ANCSA Program. The program is the only one of its kind in the country. The fieldwork which was undertaken in the 1970's to document the significance of each site on a regional basis, has been a lengthy process. The Bureau was responsible for conducting fieldwork for the historical places and cemetery sites applied for by the regional corporations. Regional corporations applied for the sites, to have the Bureau conduct the fieldwork to verify the site's physical existence, location and extent. Each investigation includes historical, archeological and/or ethnographic research necessary to document the history of Native use of the selected site. Completing the certification report summarizing all relevant findings are then transmitted to the Bureau of Land Management (BLM) to begin the process of land conveyance. Some of these historic sites have not been certified by BLM, causing BIA to work with additional resources to further substantiate the Native use of the site.

The 14 (h) (1) summary of the application and decision making process of historic sites demonstrates the complex process an Alaska Native corporation has to embark upon, to receive title to lands.

Many procedural challenges became clear to the BIA ANCSA program staff early on. The ANCSA program had a sunset date, or a date in which the program would lapse and not be funded by the federal government. This provision was included in funding language, with the understanding that all of the field and administrative work could be undertaken and completed within a certain timeframe. The program staff understood rather quickly, the enormous task they had to undertake, documenting the significant aspects of each site.

Challenges which may not be familiar to those outside of Alaska were evident in the program's infancy. The logistics of scheduling fieldwork to be conducted by BIA staff proved to be very trying. The various issues the field staff encountered were the labor intensive procurement process of federal agencies and the required amount of funding necessary, to travel to remote sites. Another challenge was accessing fluent speakers to work with knowledgeable elders (Pratt 2009:11).

6.2 Sealaska 14 (h) (1) Historic Sites

Sealaska was one of the first regional corporations to begin fieldwork in support of the 14 (h) (1) sites. For the Sealaska region, 96 sites were identified under this subsection of ANCSA as being eligible to qualify as 14 (h) (1) sites. Our regional corporation hired a private firm, Wilsey-Hamm to begin investigations of the 96 sites. The cultural specialists interviewed for both Sealaska and the BIA are oftentimes, the same individuals. The BIA ANCSA Sealaska regional collection contains written transcripts describing the 96 sites where fieldwork has been conducted.

Throughout the southeastern region, historic sites located on Sealaska land include petroglyphs, pictographs, forts, burial sites and villages. These sites are the foundation of who we are as a people and understanding the recollections of our ancestors establish and convey the emotional landscape of the Tlingit people in a profound manner.

As our regional corporation, Sealaska is the steward of these lands and their role is to preserve, protect and monitor the historic sites. Monitoring the sites is a daunting task, since the land base is enormous and the personnel required to provide effective oversight can have mixed results. Trespass of our historic sites has occurred along with theft of sacred items such as the removal of skeletal remains. The subsequent court decisions were not satisfactory to our company and the surrounding tribal members.

Sealaska has developed two draft policies to allow company owners to access historical sites for cultural observances. The two policies are entitled “Sealaska Corporation General Policy for Management, Access and Use of 14(h) (1) Historical Sites and Procedures for Transfer of Management to Clans and the Historic Site Management Memorandum of Understanding. The policies serve as a guide for resource management and the transfer of historic sites to clan stewardship. The policy documents outline the historical background of ANCSA, federal laws, future land conveyances from federal agencies, current resource management issues, land stewardship and policy parameters for historic sites. One of the most compelling aspects of the two proposed policy documents is the great historical background of historic sites, the laws that mandate stewardship and future applications of resource administration developed by clans.

6.3 Tlingit Cultural Mores

The transcripts capturing elder recollection of use and occupancy of southeast tribal lands establishes a long history of responsible land tenure of various clans. The subsequent interviews recall resource management practices, clan identification, religious, social, and cultural practices, which guided the Tlingit from time immemorial.

Specific cultural mores conveyed are the selection of clan leaders, clan origin, the Great Flood, migration stories, clan crests, and how inter-clan conflicts were resolved. Discussion also include clan land bases, rights and responsibility of land, hunting, trapping and fishing as well as clan regalia and its production.

Several themes emerge from the collection that are unique and bear further research such as women hunters, dual residency at village sites, traditional conflict resolution and tribal differences among the Tlingit, neighboring Haida and Tsimshian nations.

6.4 Dry Bay Village

My research focused upon this village site for a highly personal reason. Our clan has its origins in this site and significant events within the Tlingit culture have occurred here. The author's grandmother, Selina Fournie Brown was raised in Yakutat, having been sent there as a young child to escape the influenza epidemic in 1918. That pandemic killed more human beings than World War I, resulting in 50 million deaths. My great grandmother, Selina Gordon Dowling understood that entire communities were collapsing, due to the influenza plague. In her wisdom, she sent my grandmother Selina to live with Minnie Johnson, a childless L'uknaḡádi woman in Yakutat. It is there, that my grandmother thrived and learned many of the life skills that sustained her as a young woman, later a wife and mother. I often reflect that if it wasn't for the kindness of Minnie Johnson our family would not have existed. As of today's date, my grandmother has had seven children, 80 grandchildren, and numerous great grandchildren.

Dry Bay Village fulfills the definition of historical place as set forth in the rules and regulations of 43 CFR 2653.0-5 (b). The site forms a distinguishable tract of land associated with events that have made a significant historical contribution to the people of Yakutat, including important historic personages as well as cultural events. The site has been subject to sustained historical Native activity up to the present and possesses integrity of location, setting, feeling and association (United States Bureau of Indian Affairs 1981:35-41).

There are two historic sites related to Dry Bay Village. The sites contain three graves and one non-functioning fish cannery. The name Dry Bay is derived from the sandy bluff

overlooking an expansive tidal flat. This site was originally inhabited by the Athabaskan people, followed by the Eyak and finally settled by the Tlingit. It is the ancestral homeland to the L'uknaxádi (silver salmon) clan. Culturally significant events occurring at Dry Bay Village relate to Raven, the creature who is thought to have created the world in Tlingit mythology. There is a high bluff at the end of the peninsula at Dry Bay Village, which is seen as the embodiment of the prow of the canoe used by Raven to bring an arc full of animals to the site, thereby, sustaining the Tlingit people. On the backside of the bluff, there is a small depression which represents one of the footprints left by Raven during this event (United States Bureau of Indian Affairs 1981:35-41).

Another example of a culturally significant legend is the acknowledgement of *Kaakw'* *Kweet'*, a person immortalized in Tlingit folklore. This L'uknaxádi man was known to have “killed” (disassociated) his sleep and upon doing so, wandered north of Hoonah to Dry Bay where he taught the local Athabascans the Tlingit method of procuring food. He is also credited with bringing Athabaskan people further south, to establish trading partners and routes (de Laguna 1972:1158).

This site is also the village where Dry Bay George hosted a *koo.éex'* (post mortuary ceremony) for his clan house, in which he composed a song for the frog screen. Within the tribal house structure, there are oftentimes, painted house screens, depicting clan emblems, signifying the host clan crest. The frog emblem is one in which the L'uknaxádi clan has rights to use. Our clan leader, George Ramos shared with me how we obtained the right to use the frog crest. A long time ago, when our tribal clan house was in disrepair, it became apparent that a new house needed to be built. When our men began digging holes in the area to place the four corner house poles, they hit a hard object. When they dug further, they discovered a huge, albino frog, hibernating in the ground. The frog is seen as a supernatural

being, having the ability to lead an amphibious life, either in the water or on land. Because of that strong cultural association, many of our clan names have a frog reference or association.

For instance, my daughter is named *X'ixb'i Shaan*, meaning old frog. My son's name is *Duksu.áat* referring to the coldness to the touch when one feels the backside of a frog. The highly metaphorical references to a specific place, acknowledge a culturally significant event to our clan. These recollections are retold at our religious ceremonies, so old and young can appreciate our unique history and retain it. Within Tlingit culture, the strict protocols prohibit other clans from telling another clans history. To do so, is considered highly taboo, and is only done in compelling situations.

The public ceremony witnessed by members of both the Ch'aak' and Yéil moieties validated the coho clan's right to use the white frog clan emblem. This ceremony was significant in that it put the long standing dispute between the Sitka based *Kiks.ádi* and Yakutat *L'uknax.ádi* clans to rest. The *Kiks.ádi* clan have jealously guarded their frog crest and conceded to the *L'uknax.ádi* using a frog crest, mainly because they have different origins and utilize different colors (George Ramos, personal communication November 2006). An example of a frog totem can be found in exhibit three from the early 1900's.

Chapter 7 Conclusion

Although the subsection of ANCSA, 14 (h) (1) is limited to a few paragraphs, it has a huge impact on our Native people. When one begins to utilize the collection, they obtain a more intimate understanding of the many challenges our forefathers faced toward establishing the significance of each historic site. They met those challenges, in conveying their recollection of the cultural association and significance of each site. When I read their reminiscences, the elder's voice has a sense of urgency. Normally taboo subjects are discussed freely and without repercussion. I am convinced that they shared this information in a deliberate fashion.

The 14 (h) (1) ANCSA collection housed at the BIA West Central Field Office has a wealth of information and in my view, is the crown jewel of the Bureau of Indian Affairs. If tribal members became aware of the collection, the associated resource material, they would be inspired to use the data. There are numerous potential programs that can result from using the 14 (h) (1) ANCSA collection. Students can learn more of their tribal and clan history, while developing a sense of state, national and international preservation laws providing the legal framework of cultural heritage programs.

There is much literature discussing the Tlingit social structure and clan system as described by non-Native anthropologists. While these resources have been invaluable, encouraging use of the BIA-ANCSA collection can broaden our worldview by comparing resources.

The written transcripts contained unique recollections, one elder witnessed a Tlingit Peace Treaty, while another collaborator describes a weir used to harvest fish and observed hunting taboos. Further passages describe the practice of slavery and we can gain new insights of this antiquated practice. (For further discussion, see Leland 1997).

Collaborations can occur among the Tlingit by examining interviews in which elders speak of clan history aside from their own. This is an extremely sensitive topic as an indigenous researcher embarking upon new projects. This can be complimented by studying Tlingit words used by elders that may not be utilized as much in conversation.

Historic site conferences hosted by Sealaska Corporation took place in southeast Alaska in 1998 and 1999. Attendees learned of signification legislation guiding historic sites. When modifications to cultural heritage laws are proposed, the local Native entities and governmental agencies can present a unified voice in any detrimental changes to historic site regulations.

Subsistence practices have incorporated the spiritual, religious and cosmology of our ancestors. Current regulations do not take into account Tlingit land stewardship practices that can assist resource management Indigenous knowledge promoted conservation efforts to sustain population stocks of specific animals assuring that the overall tribe survived during hardships.

Accessing the ANCSA collection can prompt indigenous research guidelines to be created. Native people throughout the world have identified cultural aspects that must be included for indigenous research conducted in their home communities. The establishment of these guidelines has fostered ownership of the subsequent research by indigenous people, rather than simply viewed as the Native informant.

Currently, there are indigenous language programs in place throughout southeast. Tlingit language courses offered by the University of Alaska-Southeast will benefit by the inclusion of passages from the ANCSA historic sites collection. Staff can offer detailed instruction in traditional life ways of the Tlingit by accessing the collection.

These are some examples of the exciting program applications that can result when tribal members become familiar with the BIA-ANCSA collection. More importantly, understanding the contents of the collection will create a sense of ownership and stewardship of our ancestor's voices.

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Appendices

Exhibit I Map of southeast Alaska



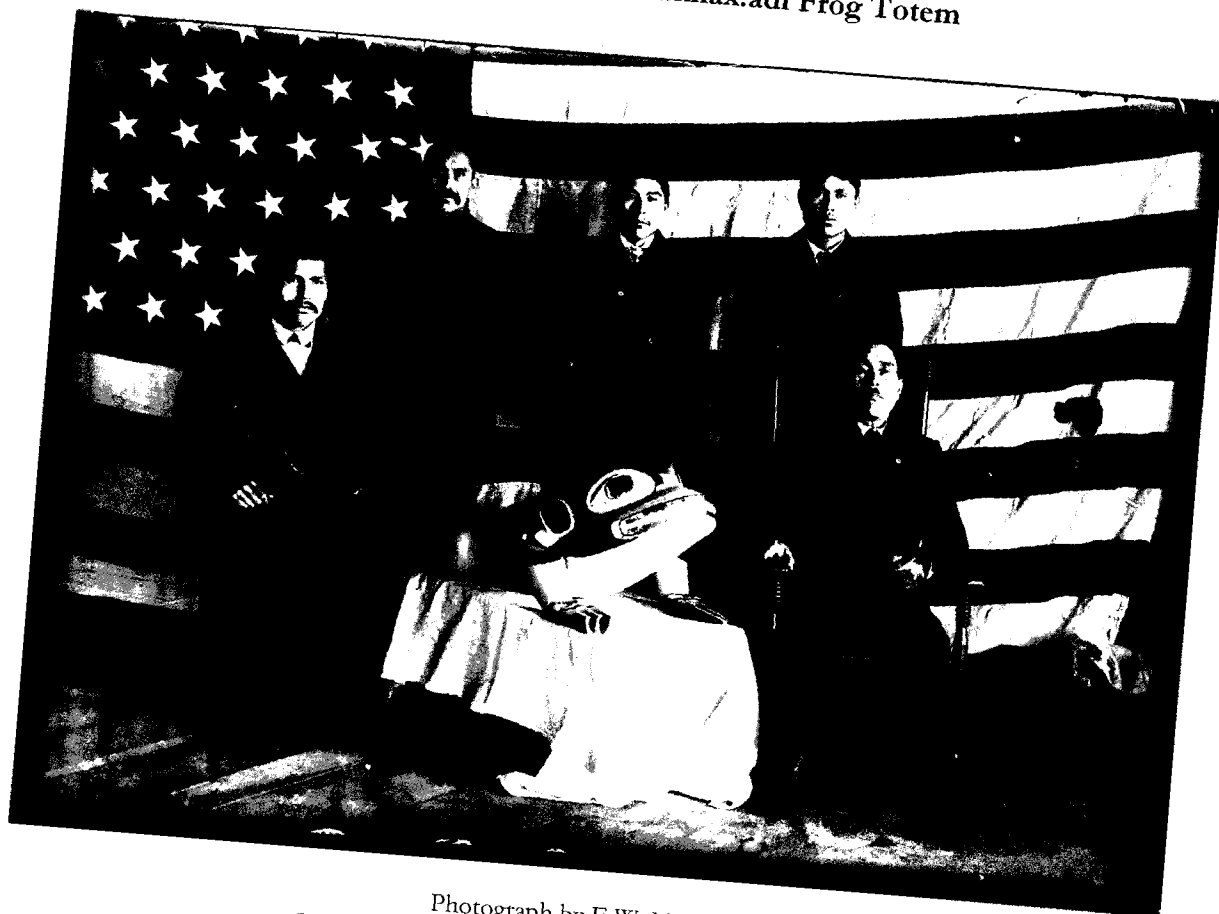
Map of southeast Alaska
www.dced.state.ak.us

Exhibit II Photo of Minnie Johnson



Jenny Jack and Minnie Johnson, photo by Frederica de Laguna
Smithsonian Institute, 1972:922

Exhibit III Photo of L'uknax.ádi Frog Totem



Photograph by E.W. Merrill,
Collection of Sitka National Historical Park SITK 3806
www.nps.gov